

House File 239 - Introduced

HOUSE FILE 239

BY R. OLSON

A BILL FOR

1 An Act concerning the types of motor vehicle speeding
2 violations to be considered for purposes related to driver's
3 license sanctions and motor vehicle insurance policies.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.210, subsection 2, paragraph d, Code
2 2011, is amended to read as follows:

3 *d.* The first two speeding violations within any twelve-month
4 period of ten miles per hour or less over the legal speed limit
5 in speed zones having a legal speed limit between thirty-four
6 miles per hour and ~~fifty-six~~ sixty-one miles per hour.

7 Sec. 2. Section 321.210C, subsection 3, Code 2011, is
8 amended to read as follows:

9 3. For purposes of determining a conviction under this
10 section, the department shall not consider the first two
11 speeding violations within the probation period that are ten
12 miles per hour or less over the legal speed limit in speed
13 zones having a legal speed limit between thirty-four miles per
14 hour and ~~fifty-six~~ sixty-one miles per hour.

15 Sec. 3. Section 321A.3, subsection 4, Code 2011, is amended
16 to read as follows:

17 4. The abstract of operating record provided under this
18 section shall designate which speeding violations occurring
19 on or after July 1, 1986, but before May 12, 1987, are for
20 violations of ten miles per hour or less over the legal speed
21 limit in speed zones that have a legal speed limit greater than
22 thirty-five miles per hour. For speeding violations occurring
23 on or after May 12, 1987, the abstract provided under this
24 section shall designate which speeding violations are for ten
25 miles per hour or less over the legal speed limit in speed
26 zones that have a legal speed limit equal to or greater than
27 thirty-five miles per hour but not greater than ~~fifty-five~~
28 sixty miles per hour.

29 Sec. 4. Section 516B.3, subsection 1, Code 2011, is amended
30 to read as follows:

31 1. The commissioner shall require that insurance companies
32 transacting business in this state not consider speeding
33 violations occurring on or after July 1, 1986, but before May
34 12, 1987, which are for speeding violations for ten miles per
35 hour or less over the legal speed limit in speed zones that

1 have a legal speed limit greater than thirty-five miles per
2 hour or speeding violations occurring on or after May 12,
3 1987, which are for speeding violations for ten miles per
4 hour or less over the legal speed limit in speed zones that
5 have a legal speed limit equal to or greater than thirty-five
6 miles per hour but not greater than ~~fifty-five~~ sixty miles
7 per hour for the purpose of establishing rates for motor
8 vehicle insurance charged by the insurer and shall require that
9 insurance companies not cancel or refuse to renew any such
10 policy for such violations. In any twelve-month period, this
11 section applies only to the first two such violations which
12 occur.

13 EXPLANATION

14 Under current law, for purposes of driver's license
15 suspension or revocation, or when revoking a driver's license
16 for violations committed during a license probation period,
17 the department of transportation is required to disregard the
18 first two speeding violations within a 12-month period of 10
19 miles per hour or less over the speed limit in speed zones with
20 a speed limit between 34 and 56 miles per hour. This bill
21 extends the range of that exclusion to include speed limits
22 between 34 miles per hour and 61 miles per hour.

23 Pursuant to current law, for purposes of establishing motor
24 vehicle insurance rates or deciding to cancel or refuse to
25 renew a motor vehicle insurance policy, an insurance company
26 must disregard the first two speeding violations of 10 miles
27 per hour or less over the speed limit in speed zones with a
28 speed limit equal to or greater than 35 miles per hour but not
29 greater than 55 miles per hour. The bill increases the upper
30 limit of that exclusion to not greater than 60 miles per hour.
31 The bill makes a conforming change to motor vehicle financial
32 responsibility provisions by providing that the abstract of
33 the operating record of a driver, which is made available to
34 insurers, must designate which speeding violations are for 10
35 miles per hour or less over the limit in speed zones with a

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1 speed limit equal to or greater than 35 miles per hour but not
2 greater than 60 miles per hour.